

**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR UTILITY PATENT APPLICATION**

Attorney's Docket No.
021565-040

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I BELIEVE I AM THE ORIGINAL, FIRST AND SOLE INVENTOR (if only one name is listed below) OR AN ORIGINAL, FIRST AND JOINT INVENTOR (if more than one name is listed below) OF THE SUBJECT MATTER WHICH IS CLAIMED AND FOR WHICH A PATENT IS SOUGHT ON THE INVENTION ENTITLED:

METHODS AND MEANS FOR OBTAINING MODIFIED PHENOTYPES

the specification of which

(check one)

☐

is attached hereto;

☒

was filed on April 8, 1998 as

Application No. 09/056,767

and was amended on _____;
(if applicable)

I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE;

I ACKNOWLEDGE THE DUTY TO DISCLOSE TO THE OFFICE ALL INFORMATION KNOWN TO ME TO BE MATERIAL TO PATENTABILITY AS DEFINED IN TITLE 37, CODE OF FEDERAL REGULATIONS, Sec. 1.56 (as amended effective March 16, 1992);

I do not know and do not believe the said invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said application; that said invention was not in public use or on sale in the United States of America more than one year prior to said application; that said invention has not been patented or made the subject of an inventor's certificate issued before the date of said application in any country foreign to the United States of America on any application filed by me or my legal representatives or assigns more than twelve months prior to said application;

I hereby claim foreign priority benefits under Title 35, United States Code Sec. 119 and/or Sec. 365 of any foreign application(s) for patent or inventor's certificate as indicated below and have also identified below any foreign application for patent or inventor's certificate on this invention having a filing date before that of the application(s) on which priority is claimed:

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COUNTRY/INTERNATIONAL	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED																																																																															
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<p>I hereby appoint the following attorneys and agent(s) to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and to transact all business in connection with international applications directed to said invention:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">William L. Mathis</td> <td style="width: 10%;">17,337</td> <td style="width: 33%;">Robert G. Mukai</td> <td style="width: 10%;">28,531</td> <td style="width: 33%;">Bruce J. Boggs, Jr.</td> <td style="width: 10%;">32,344</td> </tr> <tr> <td>Peter H. Smolka</td> <td>15,913</td> <td>George A. Hovanec, Jr.</td> <td>28,223</td> <td>William H. Benz</td> <td>25,952</td> </tr> <tr> <td>Robert S. Swecker</td> <td>19,885</td> <td>James A. LaBarre</td> <td>28,632</td> <td>Peter K. Skiff</td> <td>31,917</td> </tr> <tr> <td>Platon N. Mandros</td> <td>22,124</td> <td>E. Joseph Gess</td> <td>28,510</td> <td>Richard J. McGrath</td> <td>29,195</td> </tr> <tr> <td>Benton S. Duffett, Jr.</td> <td>22,030</td> <td>R. Danny Huntington</td> <td>27,903</td> <td>Mathew L. Schneider</td> <td>32,814</td> </tr> <tr> <td>Joseph R. Magnone</td> <td>24,239</td> <td>Eric H. Weisblatt</td> <td>30,505</td> <td>Michael G. Savage</td> <td>32,596</td> </tr> <tr> <td>Norman H. Stepno</td> <td>22,716</td> <td>James W. Peterson</td> <td>26,057</td> <td>Gerald F. Swiss</td> <td>30,113</td> </tr> <tr> <td>Ronald L. Grudziecki</td> <td>24,970</td> <td>Teresa Stanek Rea</td> <td>30,427</td> <td>Michael J. Ure</td> <td>33,089</td> </tr> <tr> <td>Frederick G. Michaud, Jr.</td> <td>26,003</td> <td>Robert E. Krebs</td> <td>25,885</td> <td>Charles F. Wieland III</td> <td>33,096</td> </tr> <tr> <td>Alan E. Kopecki</td> <td>25,813</td> <td>Robert M. Schulman</td> <td>31,196</td> <td>Bruce T. Wieder</td> <td>33,815</td> </tr> <tr> <td>Regis E. Slutter</td> <td>26,999</td> <td>William C. Rowland</td> <td>30,888</td> <td>Todd R. Walters</td> <td>34,040</td> </tr> <tr> <td>Samuel C. Miller, III</td> <td>27,360</td> <td>T. Gene Dillahunt</td> <td>25,423</td> <td> </td> <td> </td> </tr> <tr> <td>Ralph L. Freeland, Jr.</td> <td>16,110</td> <td>Patrick C. Keane</td> <td>32,858</td> <td> </td> <td> </td> </tr> </table>					William L. Mathis	17,337	Robert G. Mukai	28,531	Bruce J. Boggs, Jr.	32,344	Peter H. Smolka	15,913	George A. Hovanec, Jr.	28,223	William H. Benz	25,952	Robert S. Swecker	19,885	James A. LaBarre	28,632	Peter K. Skiff	31,917	Platon N. Mandros	22,124	E. Joseph Gess	28,510	Richard J. McGrath	29,195	Benton S. Duffett, Jr.	22,030	R. Danny Huntington	27,903	Mathew L. Schneider	32,814	Joseph R. Magnone	24,239	Eric H. Weisblatt	30,505	Michael G. Savage	32,596	Norman H. Stepno	22,716	James W. Peterson	26,057	Gerald F. Swiss	30,113	Ronald L. Grudziecki	24,970	Teresa Stanek Rea	30,427	Michael J. Ure	33,089	Frederick G. Michaud, Jr.	26,003	Robert E. Krebs	25,885	Charles F. Wieland III	33,096	Alan E. Kopecki	25,813	Robert M. Schulman	31,196	Bruce T. Wieder	33,815	Regis E. Slutter	26,999	William C. Rowland	30,888	Todd R. Walters	34,040	Samuel C. Miller, III	27,360	T. Gene Dillahunt	25,423			Ralph L. Freeland, Jr.	16,110	Patrick C. Keane	32,858		
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<p>and: _____</p> <p>Address all correspondence to: R. Danny Huntington BURNS, DOANE, SWECKER & MATHIS, L.L.P. P.O. Box 1404 Alexandria, Virginia 22313-1404</p> <p>Address all telephone calls to: <u>R. Danny Huntington</u> at (703) 836-6620.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p>																																																																																		
FULL NAME OF SOLE OR FIRST INVENTOR		SIGNATURE		DATE																																																																														
Peter Michael WATERHOUSE		<i>Peter Waterhouse</i>		12/6/98																																																																														
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